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**Boehringer  
Ingelheim**

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**Telefax**

TO: USPTO, Mail Stop Missing Parts  
 DATE: September 16, 2004  
 Fax Number: (703) 746-4060  
 Phone Number: (703) 308 1202  
 Total Number of pages: 7 (including cover sheet)  
 RE: Response to Notice to File Missing Parts  
 Serial Number: 10/825,580  
 Filing Date: April 15, 2004  
 Confirmation Number: 8666  
 First Inventor: Anja Kohlrausch  
 Attorney Docket Number: 1/1491US

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 900 Ridgebury Rd/P.O. Box 368  
 CT 06877-0368

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application which was mailed on June 25, 2004, please find transmitted herewith a Declaration for Utility or Design Patent Application (37 CFR 1.63) which has been executed by the originally-named applicants.

The surcharge set forth in 37 CFR 1.16(e) for submission of the declaration at this time is \$130.00. The Commissioner is hereby authorized to charge this and any other fee which may be required, and to credit any overpayment, to Deposit Account No. 02-2955. Triplicate copies of this paper are being transmitted herewith.

As requested, a copy of the Notice to File Missing Parts of Nonprovisional Application is also being transmitted.

It is hereby requested that the time for responding to the Notice To File Missing Parts of Application mailed on June 25, 2004, be extended pursuant to 37 CFR 1.136(a) for one month, so that the extended period for response will end on September 25, 2004.

The fee set in 37 CFR 1.17 for this extension of time is \$110.00. The Commissioner is hereby authorized to charge this and any other fee which may be required, and to credit any overpayment, to Deposit Account No. 02-2955. Triplicate copies of this paper are enclosed.

Respectfully Submitted,

Timothy X. Witkowski

Reg. No. 40,232

Certificate of Transmission under 37 CFR 1.8  
 I hereby certify that this correspondence is being  
 facsimile transmitted to the United States Patent  
 and Trademark Office on September 16, 2004

  
 Timothy X. Witkowski, Reg. No. 40,232

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 Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (A) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/825,580	04/15/2004	Anja Kohlrusch	1/1491118

CONFIRMATION NO. 8666

## FORMALITIES LETTER



\*000000013073974\*

28501  
 BOEHRINGER INGELHEIM CORPORATION  
 800 RIDGEBURY ROAD  
 P. O. BOX 368  
 RIDGEFIELD, CT 06877

Date Mailed: 06/25/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*

PAGE 4/5 \* RCVD AT 9/16/2004 2:41:50 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXRF-2/0 \* DNIS:7464060 \* CSID: \* DURATION (mm:ss):01:26

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE